



CITY COUNCIL MINUTES

Richfield, Minnesota

Special City Council Worksession

October 14, 2014

CALL TO ORDER

The meeting was called to order by Mayor Goettel at 5:45 p.m. in the Bartholomew Room.

Council Members Present: Debbie Goettel, Mayor; Sue Sandahl; Pat Elliott; Edwina Garcia; and Tom Fitzhenry.

Staff Present: Steven L. Devich, City Manager; Mike Eastling, Public Works Director; Jay Henthorne, Acting Public Safety Director/Police Chief; Wayne Kewitsch, Fire Services Director/Fire Chief; Chris Regis, Finance Manager; Kristin Asher, Assistant Public Works Director; Robert Hintgen, Utilities Superintendent; Jeff Pearson, Transportation Engineer; Chris Link, Operations Superintendent; and Cheryl Krumholz, Executive Coordinator.

Item # 1	DISCUSSION REGARDING THE 2015 UTILITY BUDGET (COUNCIL MEMO NO. 93)
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Public Works Director Eastling reviewed the 2014 revised and 2015 proposed utility division budget and the 2015 proposed street light user fee.

Item # 2	DISCUSSION REGARDING INTERSECTIONS ON 66TH STREET (COUNCIL MEMO NO. 93)
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Transportation Engineer Pearson and Jack Broz, Avenue Design Partners, introduced the topic of intersection control options, including stoplights and roundabouts, along main roadways in Richfield.

Acting Police Chief Henthorne and Fire Chief Kewitsch expressed their support for roundabouts related to improved enforcement and reduction in serious accident rates.

ADJOURNMENT

The meeting was adjourned by unanimous consent at 6:55 p.m.

Date Approved: October 28, 2014

Debbie Goettel
Mayor

Cheryl Krumholz
Executive Coordinator

Steven L. Devich
City Manager



CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

Regular Meeting

October 14, 2014

CALL TO ORDER

The meeting was called to order by Mayor Goettel at 7:00 p.m. in the Council Chambers.

Members Present: Debbie Goettel, Mayor; Sue Sandahl; Pat Elliott; Edwina Garcia; and Tom Fitzhenry.

Staff Present: Steven L. Devich, City Manager; Mike Eastling, Public Works Director; Jay Henthorne, Acting Public Safety Director; Karen Barton, Assistant Community Development Director; Chris Regis, Finance Manager; Chris Link, Public Works Operations Superintendent; Melissa Poehlman, City Planner; Mary Tietjen City Attorney; and Cheryl Krumholz, Executive Coordinator.

OPEN FORUM

None.

PLEDGE OF ALLEGIANCE

Mayor Goettel led the audience in the Pledge of Allegiance.

APPROVAL OF MINUTES

M/Sandahl, S/Fitzhenry to approve the minutes of the (1) Special City Council Worksession of September 23, 2014 and (2) Regular City Council Meeting of September 23, 2014.

Motion carried 5-0.

Item #1	COUNCIL DISCUSSION <ul style="list-style-type: none">Hats Off to Hometown Hits
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Council Members Garcia and Sandahl acknowledged the success of the recent Richfield Tribute to the Arts event.

Council Member Garcia announced the following upcoming events:

- Ribbon cutting ceremony at Savers at the HUB on October 17

- Half Haunted Halloween at Wood Lake Nature Center on October 18
- MN Magicians Face-off Against Breast Cancer on October 25
- Tip-a-Cop at Houlihan's on October 24

Operations Superintendent Link presented information on the snow plow notification process.

Item #2	COUNCIL APPROVAL OF AGENDA
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M/Fitzhenry, S/Garcia to approve the agenda.

Motion carried 5-0.

Item #3	CONSENT CALENDAR
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- Consideration of the approval of the request by St. Nicholas Episcopal Church, 7227 Penn Avenue, for a temporary on-sale intoxicating liquor license for their Fall Fiesta Auction on November 1, 2014 S.R. No. 170
- Consideration of the approval of the request by the Church of St. Richard, 7540 Penn Avenue, for a temporary on-sale intoxicating liquor license for their Novemberfest event on November 8-9, 2014 S.R. No 171
- Consideration of the approval of the renewal of the contract with Chief's Towing, Inc. for Public Safety towing services for December 1, 2014 through November 30, 2015 S.R. No. 172
- Consideration of the approval of the resolutions approving the sale of portions of land at 6314-17th Avenue, 6320-17th Avenue and 6408-17th Avenue S.R. No. 173

RESOLUTION NO. 10976

RESOLUTION APPROVING SALE OF LAND LOCATED AT
6314 17th AVENUE SOUTH BY THE CITY OF RICHFIELD

This resolution appears as Resolution No. 10976.

RESOLUTION NO. 10977

RESOLUTION APPROVING SALE OF LAND LOCATED AT
6320 17th AVENUE SOUTH BY THE CITY OF RICHFIELD

This resolution appears as Resolution No. 10977.

RESOLUTION NO. 10978

RESOLUTION APPROVING SALE OF LAND LOCATED AT
6408 17th AVENUE SOUTH BY THE CITY OF RICHFIELD

This resolution appears as Resolution No. 10978.

- Consideration of the approval of the 2014-2015 contract with the City of Bloomington using federal grant funds to provide services in public health emergency preparedness/bioterrorism and the development of a response system S.R. No. 174

M/Goettel, S/Elliott to approve the Consent Calendar.

Motion carried 5-0.

Item #4	CONSIDERATION OF ITEMS, IF ANY, REMOVED FROM THE CONSENT CALENDAR
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None.

Item #5	PUBLIC HEARING REGARDING A RESOLUTION GRANTING A CONDITIONAL USE PERMIT FOR A BUILDING ADDITION AND RESTAURANT EXPANSION AND A VARIANCE FOR A REDUCED PARKING SETBACK AT 7514 LYNDALE AVENUE S.R. NO. 175
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Council Member Garcia presented Staff Report No. 175.

Patti Sterbuck, property owner, was present for questions.

M/Fitzhenry, S/Goettel to close the public hearing.

Motion carried 5-0.

M/Garcia, S/Sandahl that the following resolution be adopted and that it be made part of these minutes:

RESOLUTION NO. 10979

RESOLUTION APPROVING A CONDITIONAL USE PERMIT AND VARIANCE FOR A TRADITIONAL (CLASS II) RESTAURANT AT 7514 LYNDALE AVENUE

Motion carried 5-0. This resolution appears as Resolution No. 10979.

Item #6	PUBLIC HEARING AND SECOND READING OF AN ORDINANCE ESTABLISHING A SIX-MONTH MORATORIUM ON CONSIDERATION OF MEDICAL MARIJUANA DISTRIBUTION FACILITIES AND A RESOLUTION AUTHORIZING THE SUMMARY PUBLICATION OF THE ORDINANCE S.R. NO. 176
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Council Member Fitzhenry presented Staff Report No. 176.

M/Sandahl, S/Elliott to close the public hearing.

Motion carried 5-0.

M/Fitzhenry, S/Goettel that this constitutes the second reading of Bill No. 2014-6, Transitory Ordinance No. 18.94, establishing a six-month moratorium on consideration of marijuana distribution facilities, that it be published in the official newspaper and that it be made part of these minutes, and that the following resolution be adopted and that it be made part of these minutes:

RESOLUTION NO. 10980

RESOLUTION APPROVING SUMMARY PUBLICATION OF AN ORDINANCE ESTABLISHING A SIX-MONTH MORATORIUM RELATED TO MEDICAL MARIJUANA DISTRIBUTION FACILITIES

Motion carried 5-0. This resolution appears as Resolution No. 10980.

Item #7	PUBLIC HEARING REGARDING A RESOLUTION ADOPTING THE SPECIAL ASSESSMENT ROLL FOR WEED ELIMINATION FROM PRIVATE PROPERTY AND THE REMOVAL OR ELIMINATION OF PUBLIC HEALTH OR SAFETY HAZARDS FROM PRIVATE PROPERTY S.R. NO. 177
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Council Member Sandahl presented Staff Report No. 177.

M/Goettel, S/Sandahl to close the public hearing.

Motion carried 5-0.

M/Sandahl, S/Fitzhenry that the following resolution be adopted and that it be made part of these minutes:

RESOLUTION NO. 10981

RESOLUTION ADOPTING ASSESSMENT FOR
WEED ELIMINATION FROM PRIVATE PROPERTY AND REMOVAL OR ELIMINATION OF
PUBLIC HEALTH OR SAFETY HAZARDS FROM PRIVATE PROPERTY.

Council Member Elliott stated that there should be a discussion on how to require the property owners at the time the work is done be responsible for payment of the assessment; not the next buyer or owner. He requested the City Attorney review the establishment of an ordinance that puts a lien on the property for payment of the assessment.

Finance Manager Regis explained the assessment process.

Motion carried 5-0. This resolution appears as Resolution No. 10981.

Item #8	PUBLIC HEARING REGARDING A RESOLUTION ADOPTING THE SPECIAL ASSESSMENT ROLL FOR UNPAID FALSE ALARM USER FEES AGAINST PRIVATE PROPERTY S.R. NO. 178
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Council Member Elliott presented Staff Report No. 178.

M/Goettel, S/Sandahl to close the public hearing.

Motion carried 5-0.

M/Elliott, S/Goettel that the following resolution be adopted and that it be made part of these minutes:

RESOLUTION NO. 10982

RESOLUTION ADOPTING ASSESSMENT FOR
UNPAID FALSE ALARM FEES FROM PRIVATE PROPERTY

Motion carried 5-0. This resolution appears as Resolution No. 10982.

Item #9	CONDUCT AND CONTINUE THE PUBLIC HEARING TO OCTOBER 28, 2014 REGARDING A RESOLUTION PROPOSING TO ASSESS COMMERCIAL PROPERTIES IN THE 77TH STREET ASSESSMENT DISTRICT FOR COSTS INCURRED TO MAINTAIN THE AREA FOR 2013 AND A RESOLUTION PROPOSING A SIMILAR ASSESSMENT PROCESS TO BE IMPLEMENTED FOR 2015 S.R. NO. 179
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Council Member Sandahl presented Staff Report No. 179.

M/Goettel; S/Sandahl to continue the public hearing to October 28, 2014.

Motion carried 5-0.

Item #10	PUBLIC HEARING REGARDING A RESOLUTION ADOPTING THE ASSESSMENT FOR REMOVAL OF DISEASED TREES FROM PRIVATE PROPERTY FOR WORK ORDERED FROM JANUARY 1, 2013 THROUGH DECEMBER 31, 2013 S.R. NO. 180
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Mayor Goettel presented Staff Report No. 180.

Jim Fingerman, 6612 Vincent Avenue, stated he did not believe he should be accountable for the cost of the assessment because he did not own the property at the time the tree was removed.

Public Works Director Eastling explained the assessment process.

Council Member Elliott requested that 6612 Vincent Avenue be removed from the assessment roll and be further reviewed.

M/Goettel, S/Sandahl to close the public hearing.

Motion carried 5-0.

M/Goettel; S/Elliott that the property at 6612 Vincent Avenue be removed from the assessment roll and considered at the October 28, 2014 City Council meeting and that the following amended resolution be adopted and that it be made part of these minutes:

RESOLUTION NO. 10983

RESOLUTION DECLARING COSTS TO BE ASSESSED AND ORDERING PREPARATION OF PROPOSED ASSESSMENT FOR REMOVAL OF DISEASED TREES FROM PRIVATE PROPERTY FOR THE PERIOD OF JANUARY 1, 2013 TO DECEMBER 31, 2013

Motion carried 5-0. This resolution appears as Resolution No. 10983.

Item #11	PUBLIC HEARING REGARDING A RESOLUTION PROPOSING TO ASSESS COMMERCIAL PROPERTIES IN THE LYNDALE/HUB/NICOLLET (LHN) DISTRICT FOR COSTS INCURRED TO MAINTAIN THE AREA FOR 2013 AND A RESOLUTION PROPOSING A SIMILAR ASSESSMENT PROCESS TO BE IMPLEMENTED IN 2015 S.R. NO. 181
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Council Member Fitzhenry presented Staff Report No. 181.

Dale Woodbeck, 6120 Lyndale Avenue, Lakewinds Co-op, requested this property be removed from the district and not specially assessed because there is a maintenance agreement with the City that provides for these services.

M/Goettel, S/Fitzhenry to close the public hearing.

Motion carried 5-0.

M/Fitzhenry, S/Sandahl that the following resolution be adopted and that it be made part of these minutes:

RESOLUTION NO. 10984

RESOLUTION ADOPTING ASSESSMENT FOR
LYNDALE/HUB/NICOLLET (LHN) MAINTENANCE FOR THE PERIOD
JANUARY 1, 2013 THROUGH DECEMBER 31, 2013

This resolution appears as Resolution No. 10984.

RESOLUTION NO. 10985

RESOLUTION ORDERING UNDERTAKING OF CURRENT SERVICE PROJECT
LYNDALE/HUB/NICOLLET (LHN) MAINTENANCE
JANUARY 1, 2015 THROUGH DECEMBER 31, 2015

This resolution appears as Resolution No. 10985.

Motion carried 5-0.

Item #12	CONSIDERATION OF A RESOLUTION GRANTING EXTENSION OF LAND USE APPROVALS AT 6330, 6400 AND 6440 LYNDALE AVENUE S.R. NO. 182
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Council Member Garcia presented Staff Report No. 182.

Colleen Carey, Cornerstone Group President, explained the request for an extension, including the investment components.

Council Member Elliott expressed support for the vision of the development but that he had concerns regarding the ability for financing to complete the project. He added concerns about not being provided with updates on the project.

Council Member Elliott stated he could support a six-month extension with the public amenities and financing in place.

Ms. Carey discussed the status of the public amenities and the Metropolitan Council amended grant agreement being reviewed. She stated Cornerstone is intent on providing what was presented and promised.

Council Member Sandahl expressed support for the extension.

Mayor Goettel stated these developments take time and that she supported the extension.

Assistant Community Development Director Barton stated that Cornerstone made staff aware of the amendment to the grant agreement approximately two months ago.

Council Member Fitzhenry supported the extension and requested monthly updates on the project.

M/Garcia, S/Sandahl to approve a six-month extension, and authorize staff to provide an additional six-month extension of Final Development Plans and the associated Conditional Use Permit for the Lyndale Gardens Planned Unit Development at 6330, 6400 and 6440 Lyndale Avenue, contingent upon substantial completion of the construction of the quasi-public improvements and securing full project funding by June 10, 2015 and that the following resolution be adopted and that it be made part of these minutes:

RESOLUTION NO. 10986

RESOLUTION GRANTING EXTENSION OF LAND USE APPROVALS AT 6330, 6400 AND 6440 LYNDALE AVENUE

Motion carried 5-0. This resolution appears as Resolution No. 10986.

Item #13	CITY MANAGER'S REPORT
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City Manager Devich reported on a recent Xcel Energy Forum he attended.

Item #14	CLAIMS AND PAYROLLS
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M/Fitzhenry, S/Sandahl that the following claims and payrolls be approved:

U.S. Bank		10/14/14
A/P Checks: 234876-235386	\$	2,745,421.71
Payroll: 104704-105361	\$	1,139,380.98
TOTAL	\$	3,884,802.69

Motion carried 5-0.

OPEN FORUM

None.

ADJOURNMENT

The City Council open meeting was adjourned by unanimous consent at 8:26 p.m.

Date Approved: October 28, 2014.

Debbie Goettel
Mayor

Cheryl Krumholz
Executive Coordinator

Steven L. Devich
City Manager